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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/715,752
Filing Date: November 17, 2000
Appellant(s): GADKARI, SANJAY S.

Timothy N. Trop
Reg. No. 28,994

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/11/2008 appealing from the Office action mailed 10/26/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,11,225	Kraft et al.	03-1998
20020124041	Zack et al.	04-1997

Art Unit: 2100

20020122077

Doney et al.

12-1998

6678716

Pronsati, Jr. et al.

06-2000

(9) Grounds of Rejection

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-8, 10-13, 16-18, 20-21, 23-28 are rejected under 35 U.S.C 103(a) as being un-patentable over Kraft et al. (U.S. 6,112,225) in view of Zack et al. (U.S. 2002/0124041) and further in view of Doney et al. (U.S. 2002/0122077).

Regarding claim 1:

Kraft discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for assigning subtasks to network devices, comprising:

assigning, from a server, distributed computing tasks to a network of processor-based client devices: (Kraft discloses the coordinating computer divides an aggregate task into subtasks and distributes the subtasks to remote peripheral computers: (abstract; column 4, lines 62-67;

column 7, lines 9-16; where “the coordinating computer” is read on a server as claimed, “peripheral computers” are read on “processor-based client devices” as claimed).

determining, at server, the task was not completed: (in Kraft’s system, completion statuses for the subtasks are monitored and determined by a result task manager included in the coordinating computer: column 7, lines 42-67; column 8, lines 1-5).

However, Kraft does not explicitly disclose steps of estimating, at said server, based on a client device’s resources, a time when the client device to complete assigned task; determining at the whether the task is completed after said time.

In analogous art, Zack discloses a processing controller has capabilities of controlling and estimating completion time for each of task processed by plurality of processing units. The processing controller can determine if the subtasks shall be completed in the given period time assigned based upon the processing unit’s available resources, see (Zack: [0052]; [0019]; [0057];[0059]; [0097], where “the processing controller” is read on a server as claimed, “processing units” are read on the client device as claimed).

However, Kraft-Zack does not explicitly disclose why/what errors causes incomplete task.

In analogous art, Doney discloses a representation display which is used to indicate tasks results (e.g. whether the task is completed or not). If one of the tasks does not complete normally, the displaying diagnostic information or discovery errors will be used to indicate why the task was not completed: ([0008]; [0006], lines 36-39; [0028]; [0038]-[0039]; [0041]; Figure 3, items 308, 314, 316; abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate Zack's ideas of estimating completion time for the task with Doney's ideas of displaying diagnostic messages/ discovery errors to indicate particular task errors into Kraft's system in order to increase efficiencies for task management system (e.g. avoid processes delay via instantly process problems resolve), see (Doney: [0006]), and saving system resources by shifting/balancing resources between tasks, see (Zack: [0010]).

Regarding claim 11:

This claim is rejected under rationale of claim 1.

Regarding claim 21:

In addition to rejection in claim 1, Kraft-Zack-Doney further discloses a processor-based device: ("coordinating computer" which shares functionality with "processor-based device": figure 2, item 102).

storage and instructions: (those features are inherently included in Kraft's coordinating computer in order to implement tasks management).

Regarding claims 2, 12 and 24:

In addition to rejection in claims 1, 11 and 21, Karft-Zack- Doney further discloses establishing a persistent connection between at least one of said devices and a server: (Karft: figure 1).

Regarding claims 3, 13:

In addition to rejection in claims 1, and 11, Karft-Zack-Doney further discloses subdividing a distributed computing job into tasks and assigning each of said tasks to a different

device: (Karft discloses the coordinating computer divides a task into multiple subtasks, and assigns each subtask to each subscribing computer for executing: abstract, lines 1-26).

Regarding claims 10 and 20:

In addition to rejection in claims 1 and 11, Karft-Zack-Doney further discloses the coordinating computer receives the task results from subscribing computers: (Karft discloses returning tasks completion results from the peripheral computers to the coordinating computer: abstract, lines 1-26).

Regarding claims 6, 16, and 27:

In addition to rejection in claims 1 and 11, Karft-Zack- Doney further discloses automatically request said results from said task after the passage of said time estimate: (Karft: column 7, lines 42-67; column 8, lines 1-5).

Regarding claim 23:

In addition to rejection in claim 21, Karft-Zack-Doney further discloses a system management server: (Karft discloses “coordinating server” which is shared functionality with “a system management server”: abstract, lines 1-26).

Regarding claim 7, 17 and 28:

In addition to rejection in claims 1, 11 and 26, Karft – Zack- Doney further discloses automatically requesting said results after the passage of said time estimate: (Karft: column 7, lines 42-67; column 8, lines 1-5).

Regarding claims 8 and 18:

In addition to rejection in claims 1 and 11, Karft-Zack-Doney further includes software on a device: (Karft discloses “software module” which is equivalent to “software”: column 4, lines 48-60).

Regarding claims 25-26:

Those claims are rejected under rationale of claim 21.

Claims 9 and 19 are rejected under 35 U.S.C 103(a) as being un-patentable over Karft-Zack- Doney in view of Prosati, Jr et al. (U.S. 6,678,716).

Regarding claims 9 and 19:

Karft-Zack- Doney discloses the invention substantially as disclosed in claims 1 and 11, but does not explicitly teach providing an acknowledgement.

In analogous art, Prosati discloses technique of sending an acknowledgement to indicate status of a task, see (column 11, lines 37-49).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Prosati’s ideas of sending an acknowledgement to indicate status of a task into Karft-Zack- Doney’s system in order to increase efficiencies for tasks management, see (Prosati: column 2, lines 20-30).

The following ground(s) of rejection are applicable to the appealed claims:

(10) Response to Argument:

a) Applicant argues with respect to claim 1:

The references do not teach feature of “determining, at the server, why the task was not completed.”

In reply to the Applicant's argument:

Kraft discloses a coordinating computer has the ability of determining completion statuses for subtasks implementing at remote computers by using a result manager which included in the coordinating computer, see (Kraft: column 7, lines 42-67; column 8, lines 1-5: where "a coordinating computer" is read on the server as claimed). Further, Doney is used to overcome shortcoming from Kraft (e.g. why the task was not completed). Particularly, in Doney's system, a representation display is used to indicate tasks results (e.g. whether the task is completed or not). If one of the tasks does not complete normally, the displaying diagnostic information or discovery errors will be used to indicate why the task was not completed: ([0008]; [0006], lines 36-39, lines 37-39; [0028]; [0038]-[0039]; [0041]; Figure 3, items 308, 314, 316). Consequently, from ideas of Kraft and Doney, claimed feature of "determining, at the server, why the task was not completed" is met.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Doney's ideas of using visualize diagnostic messages and/ or discovery errors to indicate particular task errors into Kraft's system in order to increase efficiencies for task management system (e.g. avoid processes delay via providing instantly process problems resolves), see (Doney: [0006]; [0007]).

b) Applicant argues with respect to claim 1:

The cited references do not teach feature of one entity determines why another entity fails to complete a task.

In reply to the Applicant's argument:

This feature is clearly taught by Kraft. Kraft discloses a coordinating computer has ability of determining completion statuses for subtasks implementing at remote computers by using a result manager which included in the coordinating computer, see (Kraft: column 7, lines 42-67; column 8, lines 1-5: where “a coordinating computer” is read on one entity, “remoter computers” are read on another entity).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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